

AGENDA



Thursday, July 29, 2010

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION****Item No. 7**

Subject: Approve a resolution authorizing the filing of eminent domain proceedings for the Fort Branch WMA Reach 6 & 7 – Truelight Area and Eleanor Drive Area Project to acquire a 1,843 square foot permanent drainage easement out of Lot 16, Block 1, Lincoln Gardens, Section 1 a subdivision in the City of Austin, Travis County, Texas, in the amount of \$4,794. The owner of the needed property interests is Elton F. Zulauf. The property is located at 1228 Fort Branch Boulevard, Austin, Travis County, Texas.

Amount and Source of Funding: Funding is included in the Fiscal Year 2009-2010 Capital Budget of the Watershed Protection Department.

Fiscal Note: A fiscal note is attached.

For More Information: Lauraine Rizer 974-7078; Morgan Byars 974-9790; Sarah Terry 974-7141

The Watershed Protection Department plans to construct structural improvements to stabilize the Fort Branch creek bank and protect it from erosion and to improve the creek flow characteristics to reduce the frequency and depth of flooding in this neighborhood.

Completion of the Fort Branch Watershed Management Area (WMA) Reach 6 & 7 – Truelight Area and Eleanor Drive Project require the acquisition of a permanent drainage easement on the property located at 1228 Fort Branch Boulevard, in the City of Austin, Travis County, Texas. The City of Austin has attempted to purchase the needed permanent drainage easement, but the parties have been unable to agree on the damages.

The Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.